

Senate Engrossed

State of Arizona  
Senate  
Forty-fifth Legislature  
First Regular Session  
2001

CHAPTER 258

# **SENATE BILL 1381**

AN ACT

AMENDING SECTION 15-1409, ARIZONA REVISED STATUTES; RELATING TO ESTABLISHMENT  
OF COMMUNITY COLLEGE DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-1409, Arizona Revised Statutes, is amended to  
3 read:

4 15-1409. Provisional community college districts; formation;  
5 provisional community college district governing  
6 board; powers and duties; program termination

7 A. A provisional community college district shall contract with an  
8 existing community college district to provide instructional and student  
9 services within the provisional community college district in accordance with  
10 rules adopted by the state board.

11 B. The minimum assessed valuation and population requirements  
12 prescribed in section 15-1402 do not apply to provisional community college  
13 districts.

14 C. A provisional community college district shall be formed and a  
15 provisional community college district board shall be elected in the same  
16 manner prescribed in sections 15-1403, 15-1404 and 15-1441, except that the  
17 county board of supervisors by majority vote may adopt a resolution to submit  
18 the question of the formation of a provisional community college district AND  
19 THE APPROVAL OF A PROPOSED TAX RATE TO FUND THE PROVISIONAL COMMUNITY COLLEGE  
20 DISTRICT directly to the qualified electors of the county at a special or  
21 general election called for that purpose as prescribed in section 16-204 and  
22 title 35, chapter 3, article 3. The resolution adopted by the county board  
23 of supervisors shall include a statement that the primary property tax levy  
24 limit for the provisional community college district shall be no less than  
25 the levy limit of the most recently formed community college district in this  
26 state.

27 D. Except as provided in this section, a provisional community college  
28 district governing board has the same powers and duties specified in section  
29 15-1444 for community college districts.

30 E. A provisional community college district shall not award degrees,  
31 certificates or diplomas.

32 F. A provisional community college district is not eligible to receive  
33 equalization aid pursuant to section 15-1468, ~~state aid pursuant to section~~  
34 ~~15-1466, state aid per capita for capital outlay pursuant to section 15-1464,~~  
35 OR state contribution for capital outlay for initial or additional campuses  
36 pursuant to section 15-1463 or any other monies from this state.

37 G. THE STATE AID ELIGIBILITY REQUIREMENTS PRESCRIBED IN SECTION  
38 15-1466, SUBSECTION G, PARAGRAPHS 1 AND 2 DO NOT APPLY TO PROVISIONAL  
39 COMMUNITY COLLEGE DISTRICTS.

40 ~~G.~~ H. Notwithstanding any other law, the same student shall not be  
41 counted twice as a full-time equivalent student in both a provisional  
42 community college district and a community college district.

1 H. I. If a provisional community college district is converted into  
2 a community college district by the formation of a community college district  
3 pursuant to section 15-1402, the provisional community college district is  
4 dissolved and any equipment, property, personnel, liabilities and assets are  
5 transferred to the community college district.

6 I. J. If a provisional community college district is formed in a  
7 county that provides reimbursement for the attendance of nonresident state  
8 students pursuant to section 15-1469, that county shall continue to provide  
9 reimbursement payments to community college districts for the remainder of  
10 the fiscal year in which the provisional community college district is  
11 formed, provided that the county board of supervisors adopts a levy that is  
12 at least equal to ~~or that exceeds~~ the sum of the reimbursement payments and  
13 the amount of the community college services provided in the fiscal year  
14 immediately before the formation of the provisional community college  
15 district.

16 K. THE BOARD OF SUPERVISORS OF A COUNTY THAT HAS FORMED A PROVISIONAL  
17 COMMUNITY COLLEGE DISTRICT MAY BY MAJORITY VOTE ENTER INTO AN  
18 INTERGOVERNMENTAL AGREEMENT TO LOAN MONIES TO THE GOVERNING BOARD OF THE  
19 PROVISIONAL COMMUNITY COLLEGE DISTRICT IN AN AMOUNT THAT DOES NOT EXCEED TWO  
20 HUNDRED THOUSAND DOLLARS. ANY LOAN PURSUANT TO THIS SUBSECTION SHALL BE  
21 REPAYED FROM THE NEXT SCHEDULED COLLECTION OF PROPERTY TAXES TO FUND THE  
22 PROVISIONAL COMMUNITY COLLEGE DISTRICT. THE ANNUAL INTEREST CHARGES ON ANY  
23 LOAN PURSUANT TO THIS SUBSECTION SHALL NOT EXCEED FIVE PER CENT.

24 L. The provisional community college district program established  
25 by this section ends on July 1, 2009 pursuant to section 41-3102.

26 Sec. 2. Emergency

27 This act is an emergency measure that is necessary to preserve the  
28 public peace, health or safety and is operative immediately as provided by  
29 law.

APPROVED BY THE GOVERNOR APRIL 26, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 27, 2001

Passed the House April 19, 2001,

by the following vote: 51 Ayes,

3 Nays, 6 Not Voting  
with emergency

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

Passed the Senate March 20, 2001,

by the following vote: 28 Ayes,

2 Nays, 0 Not Voting  
With Emergency

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

23 day of April, 2001,

at 9:48 o'clock A M.

[Signature]  
Secretary to the Governor

Approved this 26 day of

April, 2001,

at 11:45 o'clock P M.

[Signature]  
Governor of Arizona

S.B. 1381

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 27 day of April, 2001,

at 3:45 o'clock P M.

[Signature]  
Secretary of State